



PATENT
Atty Docket No.: 200316310-1

In The U.S. Patent and Trademark Office

In Re the Application of:

Applicant(s): David Allen Moore et al. **Confirmation No.:** 9989
U.S. Serial No.: 10/799,730 **Examiner:** Harold Joyce
Filed: March 15, 2004 **Group Art Unit:** 3749
For: AIRFLOW VOLUME CONTROL SYSTEM

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING WITH THE USPTO

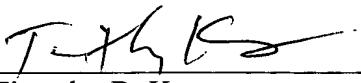
I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in compliance with 37 CFR 1.10 on January 18, 2005 and addressed to Commissioner for Patents, Alexandria, VA 22313-1450. The Express Mailing No. is: EV 574104633 US. This correspondence contains the following document(s):

- 1 sheet of Transmittal Letter for Response/Amendment (2 copies).
- 2 sheets of Response to Restriction Requirement.

Respectfully submitted,

MANNAVA & KANG, P.C.

On January 18, 2005



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PATENT APPLICATION

ATTORNEY DOCKET NO. 200316310-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): David Allen Moore et al.

Confirmation No.: 9989

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Title: AIRFLOW VOLUME CONTROL SYSTEM

Mail Stop Amendment
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TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	54	MINUS	54	= 0	X \$50	\$ 0
INDEP. CLAIMS	4	MINUS	4	= 0	X \$200	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00	\$ 0	
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EV 574104633 US

Date of Deposit Jan. 18, 2005

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Typed Name: Timothy B. Kang

Respectfully submitted,

David Allen Moore et al.

By

Timothy B. Kang

Attorney/Agent for Applicant(s)
Reg. No. 46,426

Date: Jan. 18, 2005

Telephone No.: (703) 652-3817



Docket No. 200316310-1

PATENT

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RESPONSE TO RESTRICTION REQUIREMENT

In response to the Official Action dated December 15, 2004, the following remarks are submitted.

The aforementioned Official Action states that the present application contains claims that are directed to eight (8) patentably distinct species of the claimed invention. As identified in the Official Action, these eight (8) species are:

Species I: Figure 2A

Species II: Figure 2B

Species III: Figure 2C

Species IV: Figure 2D

Species V: Figures 2E and 2F

Species VI: Figures 2G, 2H, and 2I

Species VII: Figure 4A

Species VIII: Figure 4B

A requirement to elect a single disclosed species of the ten identified species has been imposed on the basis that the above-identified species are allegedly patentably distinct from each other. In addition, the Official Action has noted that Claim 1 is generic.

In response to that election of species requirement, Applicants hereby elect, with traverse, Species VII of the invention illustrated in Figure 4A. It is respectfully submitted that Figure 4B should be included in this election because Figure 4B is a cross-sectional side

view taken along line IV-IV of Figure 4A. Therefore, all of the features depicted in Figure 4B are also included in Figure 4A. Claims 1, 10-22, 27-29, 32, 34-42, 44-48, and 51-54 are readable on the elected species.

The election is made with traverse, because it is believed that some or all of the claims associated with the non-elected species of this application may be concurrently examined with the claims of the elected species without serious burden. For instance, Claims 2-5 corresponding to Figures 2A-2I relate to a control system that have various types of position codes for determining the position of a damper and to thereby control airflow through a vent assembly. It is respectfully submitted that the search required for the claims of the above-identified non-elected species would likely be co-extensive with that required for the claims of the elected species, because these species include embodiments involving the control of airflow through vent assemblies. It is thus submitted that no serious burden would result if all of the embodiments of this application were examined concurrently.

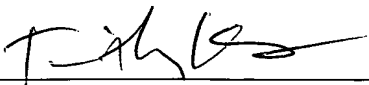
In light of the foregoing, withdrawal of the restriction requirement and examination of all of the claims of this application, including Claims 1, 10-22, 27-29, 32, 34-42, 44-48, and 51-54, directed to the elected species illustrated in Figure 4A are respectfully requested.

Should the Examiner believe that a telephone conference with the undersigned would assist in resolving any issues pertaining to the above-identified application, please contact the undersigned at the telephone number listed below. Please grant any required extensions of time and charge any fees due in connection with this request to deposit account no. 08-2025.

Respectfully submitted,

David Allen Moore et al.

Dated: January 18, 2005



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